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Letter dated 2 February 2005 from the Secretary-General addressed to the President of the Security Council

In accordance with the statement by the President of the Security Council of 12 December 2002 (S/PRST/2002/33), I have the honour to transmit herewith the report on the activities of the European Union Police Mission in Bosnia and Herzegovina covering the period from 1 July to 31 December 2004 (see annex).

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

* Reissued for technical reasons.

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Annex

[Original: English]

Letter dated 26 January 2005 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union to the Secretary-General of the United Nations

In accordance with the statement by the President of the Security Council of 12 December 2002 (S/PRST/2002/33), I attach a report on the activities of the European Union Police Mission in Bosnia and Herzegovina covering the six months from 1 July to 31 December 2004.

I would be grateful if you would transmit this report to the President of the Security Council.

(*Signed*) Javier **Solana**

Enclosure

Report of the Secretary-General and High Representative of the Common Foreign and Security Policy of the European Union on the activities of the European Union Police Mission in Bosnia and Herzegovina, covering the period from 1 July to 31 December 2004

Introduction

The European Union Police Mission (EUPM) is the first operation undertaken under the European Security and Defence Policy. It was initiated as a follow-on mission to the United Nations International Police Task Force (IPTF) in Bosnia and Herzegovina.

This report is the fourth update by the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union to the Security Council on the activities of the Mission and covers the period from 1 July to 31 December 2004.[1]

Methodology and staffing

Methodology

The four strategic priorities of the Mission are: institution and capacity-building at management level; to combat organized crime and corruption; to develop financial viability and sustainability; and to promote police independence and accountability. The methodology of the Mission continues to be the development and implementation of seven core programmes with the emphasis being on addressing the key areas of expertise and method necessary to raise policing in Bosnia and Herzegovina to best European standards, free from inappropriate political interference. The programmes are developed in partnership with the Mission's local police counterparts, other international stakeholders and bilateral donors. The Mission remains committed to the principle of local ownership facilitated through the local Police Steering Board, which consists of representatives from all elements of the local police services, mentored by EUPM. The Steering Board is the final arbiter on the design and introduction of the numerous projects which make up the core programmes.

Staffing

As at 31 December 2004, EUPM numbered 862 personnel of whom 472 were seconded police officers, 61 international civilians and 329 national staff from Bosnia and Herzegovina. All but one of 25 European Union member States participate in the Mission (420 police officers) together with nine non-EU contributing States (52 police officers).

[1] For the first three updates, see S/2003/732 of 21 July 2003, S/2004/106 of 11 February 2004 and S/2004/709 of 3 September 2004.

Achievements during the reporting period

In terms of the strategic priorities the Mission has made solid progress in the last six months. The seven core programmes have progressed well and are continuing to drive improvements in all areas. Some key achievements are described below.

1. Institution and capacity-building

Ministry of Security

The Ministry of Security has responsibility for the political oversight and direction of the state-level police agencies. During the past six months the Ministry has progressed from the start-up phase by recruiting more staff and establishing internal departments covering all their areas of responsibility. The Minister of Security has now taken over the chairmanship of the Ministerial Consultative Meeting on Police Matters (originally established by IPTF), through which he coordinates and oversees the political aspects of all the state-level police agencies. In the past six months a series of important new laws have been drafted and adopted, particularly a law that creates and regulates a new Immigration Service, an updated law governing the working of the State Border Service and a law on police officials. An expanded team of EUPM advisers has been created to provide support and give expert advice on police matters.

State Investigation and Protection Agency

Considerable progress has been made in setting up the State Investigation Protection Agency, which is pivotal in the fight against major and organized crime. The Agency is now established in temporary accommodation in Sarajevo and planning is ongoing to secure permanent facilities. The legal framework and books of rules by which the Agency operates have been established, and a headquarters and two regional offices are set up; a total of 279 police officers have been recruited to date. Most of the heads of the various departments are appointed and the Criminal Investigation Department has already begun conducting investigations. Considerable support for the Agency has been provided by international donors in terms of both equipment and training. An Interface Cell for Criminal Intelligence has been set up as the conduit and focal point for the input of intelligence from international stakeholders. This is appraised and fed to the Agency and, where appropriate, a return flow of intelligence is facilitated to stakeholders.

The Interface Cell for Criminal Intelligence is entirely staffed by EUPM officers, who will later hand over the running of the cell to local police counterparts in the State Investigation Protection Agency. The establishment of an effective system to handle and stimulate the flow of intelligence is a crucial step in the fight against major and organized crime.

State Border Service

The European Union Police Mission has given advice at all stages leading up to the introduction of new laws on surveillance of the State border and the State Border Service, which bring together and update the legislation underpinning the Agency and its work. The Structure, including command, rank and organizational

aspects are brought into line with the other state-level agencies and the procedures and powers given to police officers on the border are now clearer and more effective. The Mission has helped to secure management training for senior officers and is mentoring them in how to apply their new knowledge appropriately. Their management culture is now changing, and there is more delegation of authority, increased transparency in decision-making and greater analysis in the planning and conduct of operations.

Interpol

In Sarajevo, after close cooperation with EUPM advisers, Interpol has developed into a fully equipped and functioning national office, with trained staff and good contacts with both the Interpol General Secretariat in Lyon and with partners in the region. Technical agreements between Interpol Sarajevo and the entity and state-level law enforcement agencies have been drawn up, allowing these police forces direct access to the Interpol database.

Police education

All aspects of police education were brought together under a separate programme in May 2004 and an agreement has now been reached on the creation of a Bosnia and Herzegovina-wide training system. The first level of training applies to new recruits for the lower ranks and a project has been launched to fully harmonize the curriculum for all three training schools in Bosnia and Herzegovina. The International Criminal Investigation Training Assistance Programme and EC CARDS have agreed to provide instruction for local police trainers, to enable them to teach both specialists and senior managers. These developments are a significant step towards ensuring sustainability and harmonization of police education.

2. Fight against organized crime and corruption

Many of the key issues in the fight against organized crime and corruption, such as the development of the State Investigation Protection Agency and the other state-level agencies, have already been discussed under institution and capacity-building. In addition some technical developments also make a major impact. Two important successes have been developments in:

National intelligence model

A nationwide national intelligence system has been introduced and in the last six months a great deal of effort has been put into making it effective and to ensure that it operates across all entities and police agencies in Bosnia and Herzegovina. This has been a delicate issue, as there has been a lack of trust between some police officers in different locations. Officers are now submitting information, intelligence meetings are being held on a regular basis in all areas and the intelligence flow is beginning to work effectively both between locations and from the public security centres and cantons up to the entity ministries and up again to the state-level agencies. The effective gathering and use of criminal intelligence is recognized as one of the decisive tools in any modern police force.

Forensic Science Service

An agreement has been reached through the Ministerial Consultative Meeting and the Police Steering Board for a rationalization and expansion of the forensic capabilities in Bosnia and Herzegovina. This would bring the laboratories in the two entities under one administration, overseen by the Ministry of Security. Regional offices will provide support in routine matters and crime scene managers will be given further training.

3. Financial viability and sustainability of the local police

Police budgets

To help achieve financial viability and sustainability of the local police, the European Union Police Mission has made progress in developing the local capacity regarding salary scales, budget planning for organizational units, revising maintenance costs of premises, rationalization of the use of police equipment, control over inventories and payrolls, and general budget implementation and management. Staff at the Federation of Bosnia and Herzegovina and Republika Srpska Ministries of the Interior were trained in handling budgets at a local level, in particular in matching operational planning and budget management. Progress in this area will enable the public security centres in the Republika Srpska and the police administration in the Federation of Bosnia and Herzegovina Ministry of the Interior to operate using improved fiscal methodology next year.

4. The development of police independence and accountability

Project Implementation Boards

The importance of developing local ownership is recognized in this priority. EUPM has understood the importance of developing a hierarchy of local decision-making, from the political level down to the local police unit. The re-establishment of the Ministerial Consultative Meeting on Police Matters (discussed under the heading of the Ministry of Security above) represents a part of this process at the political level, as does the Police Steering Board, which was set up by the Mission in 2003 to represent the level of Police Commissioner/Director of Police. EUPM advised on the creation of Project Implementation Boards, which have now been established throughout Bosnia and Herzegovina. The Boards are responsible for developing the work of the projects at the local level and involve both the local police and EUPM advisers. This is an essential step forward, in that the responsibility for implementation is delegated to the level where police services are delivered, which in turn maximizes the principle of local ownership.

Senior Management Board

Previously, some long-standing legal issues arising from an apparent conflict of different laws and regulations governing the functioning of the Federation of Bosnia and Herzegovina Ministry of the Interior held up progress in several important areas of work within the Ministry, particularly with regard to the operational independence of the Director of Police, the work of the Internal Control Union and the budget. In response to this issue EUPM initiated the creation of a Senior Management Board, chaired by the EUPM Deputy Police Head of Mission.

The Senior Management Board recommended appropriate legal changes which resulted in the removal of the legal impasse to progress within the Ministry. The Senior Management Board has accomplished its goals and has now been disbanded.

Other key contributions of the Mission

Police Restructuring Commission

The High Representative/European Union Special Representative, Lord Ashdown, established a Police Restructuring Commission, chaired by Wilfried Martins, the former Prime Minister of Belgium, early in July. This came about as a consequence of the priority to proceed with structural police reform, given to Bosnia and Herzegovina by the European Commission, after the failure of Bosnia and Herzegovina to reach an agreement on accession to the European Union. The High Representative/Special Representative made it clear that, owing to the failure of the Republika Srpska authorities and the Republika Srpska Ministry of the Interior in particular, to arrest persons indicted for war crimes and the failure of Bosnia and Herzegovina to join the NATO Partnership for Peace, the Commission would be tasked to produce recommendations to establish a single and effective police structure for the whole of Bosnia and Herzegovina.

The European Union Police Mission is fully engaged in the restructuring process as the police Head of Mission serves as a full member of the Police Restructuring Commission. Furthermore, the Mission has seconded personnel to the Commission's secretariat. The Mission also set up a Police Restructuring Working Group to represent the views of EUPM to the Commission and to provide technical expertise. EUPM has made very significant contributions to the development of the final report of the Police Restructuring Commission, which has now been submitted to Lord Ashdown. The implementation of changes to the police structure in Bosnia and Herzegovina will need the support of international police experts.

Cooperation with the European Union and other international community agencies

The work of the Mission involves close cooperation with international partners, particularly the High Representative/European Union Special Representative, Lord Ashdown, who has given strong support to the Mission. Close cooperation has been maintained with OSCE, UNHCR, the International Criminal Investigation Training Assistance Programme and others.

The EU presence has been strengthened with the arrival in Bosnia and Herzegovina of the EU military force, EUFOR, which replaced SFOR in December 2004. EUPM has decentralized its liaison functions, so as to improve coordination locally, while the preparatory work prior to the arrival of EUFOR eased the process of transition. Cooperation with both EUFOR and other international organizations has been good.

Assessment and look ahead

The past six months has seen further significant progress towards achieving the strategic priorities of the Mission, through the development and implementation of seven core programmes. Measurable and telling progress has been made, notably in the strengthening of state-level law enforcement agencies and in relation to the furtherance of the principles of sustainability and local ownership. The aforementioned EUPM achievements have been made in parallel with the work of the Police Restructuring Commission. Moreover, the EUPM methodology and programmatic approach and achievements are fully reconcilable with the work and probable recommendations of the Police Restructuring Commission in respect to changes to policing in Bosnia and Herzegovina at state and regional levels.

As the Mission enters the last year of the mandate, it is well placed, in partnership with the local authorities, to complete its prime directive, which is to leave in place sustainable and effective policing arrangements in Bosnia and Herzegovina, in line with the best European practices. This will be achieved in collaboration with the implementation of the recommendations of the Police Restructuring Commission, where EUPM perceives a key mission role. The implementation of those recommendations is likely to take several years and continue after the mandate of EUPM has ended. Consideration will need to be given as to how best to support this work.